

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHAUNTEZ K. ROCKEMORE,

Plaintiff,

v.

A. VASQUEZ, et al.,

Defendants.

No. 1:21-cv-01339 GSA (PC)

ORDER DENYING PLAINTIFF'S REQUEST
TO STIPULATE AS PREMATURELY FILED

(ECF No. 65)

ORDER DENYING PLAINTIFF'S REQUEST
FOR JUDICIAL NOTICE AS NOT
RELEVANT TO THIS CASE

(ECF No. 68)

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Plaintiff has filed a request to stipulate (ECF No. 65) and a request for judicial notice (ECF No. 68). For the reasons stated below, both motions will be denied.

I. PLAINTIFF'S REQUEST TO STIPULATE TO AUTHENTICITY

In Plaintiff's request to stipulate, Plaintiff requests that Defendants stipulate to the authenticity of the official and medical records Plaintiff which Plaintiff submitted as Exhibits A and B in Plaintiff's opposition to Defendants' motion for summary judgment. See ECF No 67. Presumably, both parties have access to these records, which would allow all to readily dispute

the authenticity of any records in question. Further, to date Defendants have not filed an objection based on a lack of authentication to the records identified by Plaintiff in this motion. For these reasons, Plaintiff's request that Defendants stipulate to the authenticity of Plaintiff's official and medical records that are attached as Exhibits A and B to his opposition (see ECF No. 67 at 45-88) will be denied as prematurely filed. Should the authenticity of records provided by any party become an issue during these proceedings, the Court will formally address the matter at that time. In the meantime, Defendants are encouraged to address this issue by filing a formal response that either objects to, or agrees to, stipulate to the authentication of the above referenced records for the limited purpose of their use by Plaintiff in opposing Defendant's Summary Judgment Motion filed by Defendants on June 3, 2024. (ECF No. 45).

II. PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE

In Plaintiff's request for judicial notice, Plaintiff requests the Court to take formal notice of an order in Shauntez v. Correctional Officer V. Aguirre, No. 5:21-cv-00550 VAP (ADS) out of the Central District of California. See ECF No. 68. The order indicates that Plaintiff settled that matter with the Defendants in that case for a monetary amount. See id. at 4-7.

Courts "may take notice of proceedings in other courts, both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue." United States ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc., 971 F.2d 244, 248 (9th Cir. 1992) (collecting cases). The document Plaintiff has provided in the Central District case does not appear to have any relationship to the instant matter. Moreover, Plaintiff fails to identify any direct relation that the Central District matter has to this case. See generally ECF No. 68 (motion for judicial notice). For this reason, the motion will be denied as not having been shown to be relevant to this case. Given, however, that the Central District order clearly indicates that Plaintiff also goes by "Shauntez Kuioun Rockemore" (see id. at 5) (case caption page of Central District order), the Court will take judicial notice of this fact and direct the Clerk of Court to add this name to all Plaintiff's cases that have been filed in this district.

Accordingly, IT IS HEREBY ORDERED that:

1. The Court takes herein sua sponte takes judicial notice of the fact that Plaintiff is also

1 known as “Shauntez Kuioun Rockemore” (see ECF No. 68 at 5) (Central District of California
2 order);

3 2. The Clerk of Court shall update all CM/ECF records to reflect that Plaintiff is also
4 known as “Shauntez Kuioun Rockemore”;

5 3. Plaintiff’s motion requesting that Defendants stipulate to the authenticity of official
6 and medical records that were submitted in Exhibits A and B¹ of his opposition (ECF No. 67) is
7 DENIED as PREMATURELY FILED, and

8 4. Plaintiff’s request that the Court take judicial notice of Rockemore v. Correctional
9 Officer V. Aguirre, No. 5:21-cv-00550 VAP (ADS) (ECF No. 68) is DENIED as NOT HAVING
10 BEEN SHOWN TO BE RELEVANT to this matter. See, e.g., United States ex rel. Robinson
11 Rancheria Citizens Council v. Borneo, Inc., 971 F.2d 244, 248 (9th Cir. 1992).

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14 IT IS SO ORDERED.

15 Dated: April 2, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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28 ¹ See ECF No. 67 at 45-88 (Plaintiff’s referenced official and medical records in his opposition).